

State of New Hampshire



PERSONNEL APPEALS BOARD
25 Capitol Street
Concord, New Hampshire 03301
Telephone (603) 271-3261

Personnel Appeals Board Decision on State's Motion to Dismiss

Appeal of Jennifer McMahon (Docket 2014-T-004)

March 4, 2015

Jennifer McMahon failed to appear for the pre-hearing on February 11, 2015. Notice of the prehearing was delivered to Ms. McMahon on February 9, 2015 by Michael Reynolds of the SEA as well as a copy of his withdrawal of his representation in regards to her appeal. A message was also left on Ms. McMahon's cell phone as well as an attempt to reach her through both her work email as well as personal email advising her to communicate with the Board in reference to her appeal.

The state, through Attorney David Hilts, moved that the matter be dismissed pursuant to Per-A 207.3 which states:

- a) Absent a showing of good cause as set forth below, failure of an appellant to appear for any scheduled hearing on the merits shall result in dismissal of the appeal.
- b) Absent a showing of good cause as set forth below, failure of an appellee to appear for any scheduled hearing on the merits shall result in a decision on the appeal based on the pleadings submitted and the evidence admitted as of the time of the hearing.
- c) Good cause shall include circumstances which are beyond the control of the party and prevent that party's appearance as scheduled, such as accident or illness.

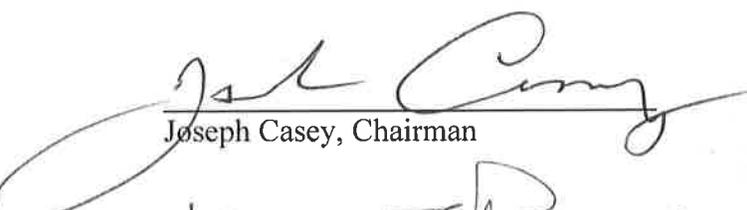
The Board issued a conditional default subject to good cause shown on February 13, 2015, and the appellant was given 15 calendar days to submit the information requested. A copy of the

Appeal of Jennifer McMahon
Docket #2014-T-004
Page 1 of 2

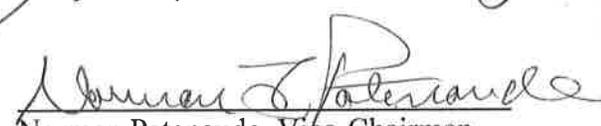
conditions were mailed to Ms. McMahon via certified mail and signed for on February 17, 2015. As of March 4, 2015 the Board has not received the requested information. Therefore, Docket 2014-T-004 is hereby dismissed.

THE NEW HAMPSHIRE PERSONNEL APPEALS BOARD

Presiding: Joseph Casey, Norman Patenaude Charla Stevens and David Goldstein



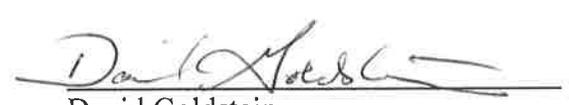
Joseph Casey, Chairman



Norman Patenaude, Vice-Chairman



Charla Stevens



David Goldstein

CC: Sara Willingham, Director of Personnel, 28 School St., Concord, NH 03301
Jennifer McMahon, 24 Bluffs Dr., Concord, NH 03303 **VIA CERTIFIED MAIL**
Attorney David Hilts, Office of the Commissioner, Dept. of Safety, 33 Hazen Dr., Concord, NH 03305